



LIQUOR & TOBACCO ADVISORY BOARD
Tuesday, May 20, 2014
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Minutes on Website: <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

Present:

LTAB Members: Aaron Magdziarz
Alicia Neubauer
Dennis Olson
Dan Roszkowski
Scott Sanders

Absent: Craig Sockwell

Staff: Todd Cagnoni – Director, Community & Economic Development Dept.
Scott Capovilla – Zoning and Land Use Administrator
Angela Hammer – City Attorney
Sandra Hawthorne - Administrative Assistant
Matt Knott – Chief, Fire Department
Marcy Leach – Public Works
Kerry Partridge - City Attorney
Lafakeria Vaughn – Assistant City Attorney

Others: Kathy Berg, Stenographer
Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor & Tobacco Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.

- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Tuesday, May 27th for LTAB items 009; 010; and 011, and Tuesday, June 2 for LTAB item 001, both to begin at 4:45 PM in Conference Room A of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 7:53 PM. A **MOTION** was made by Scott Sanders to **APPROVE** the minutes of the April meeting as written. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0 with Craig Sockwell absent.

014-LTAB-001

Applicant
Ward 10

1418, 1422 20th Street

Anthony G. Soppa d/b/a George's Place, Inc.

Sale of beer and wine in conjunction with a bar and gaming facility in a C-3, General Commercial Zoning District

Laid Over from February, March and April meetings

The subject property is location on the northeast corner of 20th Street and Broadway and is a vacant tenant space in a multi-tenant center. Attorney Jim Rodriguez, and Anthony G. Soppa (Applicant) were present. Mr. Soppa reviewed the request for sale of beer and wine. Mr. Soppa applied for beer and wine only to limit the impact on neighboring properties. In this same light, they have agreed to have no live entertainment or no dancing. Attorney Rodriguez stated it is the Applicants intent to have up to 5 video gaming terminals within the establishment. The front area will be a lounging area, the bar will be beyond that, and then the gaming terminals. The intent of the additional space is for overflow purposes. They do not plan to have a restaurant for food service at this time. The exterior site plan shows a landscaping plan identifying areas in the corners of the parking lot that would provide landscaping without losing parking spaces. There is a parking lot adjacent to the north of the building providing 22 parking spaces. In addition, the Applicant has executed a lease with a neighboring property owner and there are also available parking spaces along Broadway. The Applicant has agreed to bring signage into conformance. The hours of operation were given as Monday through Saturday from 8:00 AM to 12:00 Midnight, and Sunday from 9:00 AM to 12:00 Midnight. Attorney Rodriguez further explained that the Applicant will have internal and external cameras for security and there will also be security on site. He clarified that there is commercial to the east for several blocks as well as commercial to the south so there are pockets of commercial along with residential. It is the intent of the Applicant to have little if any impact on adjacent properties.

Angela Hammer, City Attorney, asked Mr. Soppa if he will be operating the establishment. Mr. Soppa stated he also operates a tree business and will oversee the property but will not be there all the time. Mr. Soppa stated the former Janet Wattles location probably accounted for most of the past problem issues at this location.

Staff Recommendation is for Approval with (10) conditions. No Objectors or Interested Parties were present. Two letters of Objection were also received and included with the Staff Report.

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Marvin Magnusson, 1423 20th Street, stated in his letter that he is concerned with noise in the evening, problems from people fighting and drinking too much, as well as parking issues. He stated he feels this business will cause problems in the area for the residents across the street from the Applicant's location.

Nate Nafranowicz, 1406 20th Street, stated in his letter that he had concerns of parking, inadequate lighting in the alley which could cause drug activity and "mischievous behavior". He stated his employees and the church office have late nights and are concerned with safety when getting to their vehicles. He was also concerned with noise generating from the bar should this be approved.

In response to the above two letters of Objection, Attorney Rodriguez stated they attempted to reach both objectors with no response.

Mr. Sanders asked if exit from the property was only through the alley. Public Works verified this is correct at this time, and Mr. Cagnoni stated Staff and Public Works will take a closer look at this as it proceeds to the Codes & Regulations process to address backing out over the sidewalk. Staff felt they could work this out with the Applicant.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of beer and wine in conjunction with a bar and gaming facility in the name of Anthony G. Soppa d/b/a George's Place, Inc. in a C-3, General Commercial Zoning District at 1418, 1422 20th Street. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor and Tobacco codes.
3. The sale of beer and wine shall be limited to the tenant space shown in Exhibit D.
4. The window display signage is limited to 35% of window area.
5. Submittal of a parking agreement for the leased parking spaces for staff's review and approval.
6. The proposed use shall not have a cover charge.
7. The proposed use shall not have a dance floor.
8. The proposed use shall not have any DJs.
9. The proposed use shall not have any live entertainment.
10. The proposed use shall not operate as a nightclub.

014-LTAB-009

Applicant
Ward 10

4431 East State Street

Mary's Market Café and Bakery 2007 LLC / d/b/a Mary's Market Café and Bakery
Sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District

The subject property is located 400 feet west of the Alpine Road and East State Street intersection and is surrounded mostly by commercial uses. Stephanie Koch, representing Mary's Market was present.

Because this application and the two following were for the same Applicant and usage, the Board considered all three applications as one presentation. Ms. Koch stated she and her husband recently took over Mary's Market and are applying for a liquor license for beer and wine only.

There were no questions from Legal or the Board.

Staff Recommendation is for Approval with (3) conditions. No Objectors of Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of Mary's Market Café and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery in a C-2, Limited Commercial Zoning District at 4431 East State Street. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall be limited to 35% of window surface.

014-LTAB-010

Applicant
Ward 02

1605 and 1659 North Alpine Road

Mary's Market Café and Bakery 2007 LLC / Mary's Market Café and Bakery
Sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-3, General Commercial Zoning District

The subject property is located on the east side of North Alpine, on the north side of Highcrest and is tenant space within the Edgebrook Shopping Center.

Staff Recommendation is for Approval with (3) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of Mary's Market Café and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery in a C-3, General Commercial Zoning District at 1605 and 1659 North Alpine Road. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall be limited to 35% of window surface.

014-LTAB-011

Applicant
Ward 01

2634 and 2636 McFarland Road

Mary's Market Café and Bakery 2007 LLC / Mary's Market Café and Bakery
Sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District

The subject property is located on the east side of North Perryville Road and on the west side of McFarland Road.

Staff Recommendation is for Approval with (3) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of Mary's Market Café and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery in a C-2, Limited Commercial Zoning District at 2634 and 2636 McFarland Road. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall be limited to 35% of window surface.

OTHER

Mr. Cagnoni introduced Scott Capovilla to the Board. Mr. Capovilla has accepted the position of Zoning and Land Use Administrator with the City of Rockford. Moving forward he will be representing the City at both the Zoning Board of Appeals, and the Liquor Advisory Board in place of Mr. Cagnoni.

With no further business to come before the Board, the meeting was adjourned at: 8:15 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor and Tobacco Advisory Board